

CR 13-00486-EJD

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN JOSE

Filed

OCT 30 2013

SEALED BY ORDER
OF THE COURT

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES OF AMERICA,

V.

CUONG CAO DANG,
EMILY LE, THUY NGUYEN
DAVID HUYNH
LOC XUAN HOANG,
HIEU NGUYEN,
LONG PHAM and EDWIN LIN

DEFENDANT(S).

SUPERSEDING INDICTMENT

VIOLATIONS: 18 U.S.C § 1349 B Conspiracy to Commit Mail Fraud; 18 U.S.C. § 1341 – Mail Fraud; 18 U.S.C. § 1956(a)(1)(A)(i) and (a)(1)(B)(i) – Money Laundering (Promotion and Concealment); 18 U.S.C. § 1956(a)(3)(C) – Money Laundering (Funds Represented to be Criminally Derived); 18 U.S.C. § 1956(h) – Conspiracy to Commit Money Laundering; 18 U.S.C. § 1957 – Engaging in Monetary Transactions Using Criminally Derived Property; 31 U.S.C. § 5324(a)(1), (a)(3) – Structuring Financial Transactions; 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of Criminally Derived Proceeds; 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture; and 31 U.S.C. § 5317 (c) – Structuring Forfeiture

A true bill.

[Signature]

Foreman

Filed in open court this 30TH day of OCTOBER
2013

Clerk

Bail, \$

• no process as to
Cuong Cao Dang
and
Loc Hoang

• NO bail/arrest
warrants as to
all other defendants
(Le, Nguyen, Huynh,
H. Nguyen, Pham,
and Lin) (N)

DOCUMENT NO.	CSA'S INITIALS
43 cfe	
DISTRICT COURT CRIMINAL CASE PROCESSING	

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Filed

OCT 30 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CUONG CAO DANG,
a/k/a "CALVIN" DANG,
EMILY LE,
DAVID HUYNH
LOC XUAN HOANG,
HIEU NGUYEN,
LONG PHAM,
THUY NGUYEN, and
EDWIN LIN,

Defendants.

CASE NO. CR 13-00486 EJD

VIOLATIONS: 18 U.S.C. § 1349 – Conspiracy to
Commit Mail Fraud; 18 U.S.C. § 1341 – Mail Fraud;
18 U.S.C. § 1956(a)(1)(A)(i) and (a)(1)(B)(i) –
Money Laundering (Promotion and Concealment); 18
U.S.C. § 1956(a)(3)(C) – Money Laundering (Funds
Represented to be Criminally Derived); 18 U.S.C. §
1957 – Engaging in Monetary Transactions Using
Criminally Derived Property; 31 U.S.C. § 5324(a)(1),
(a)(3) – Structuring Financial Transactions; 18 U.S.C.
§ 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture
of Criminally Derived Proceeds; 18 U.S.C. §
982(a)(1) – Money Laundering Forfeiture; and 31
U.S.C. § 5317 (c) – Structuring Forfeiture

SAN JOSE VENUE

SUPERSEDING INDICTMENT

The Grand Jury charges:

At all times relevant to this Superseding Indictment, unless otherwise indicated:

Defendant and Relevant Entities

1. Defendant Cuong Cao Dang, a/k/a "Calvin" Dang (DANG), owned and operated

1 Network Genesis, Inc., a California corporation that bought and sold stolen Cisco parts from Cisco
2 employees. Network Genesis was located at 2526 Qume Drive, Suite 19, in San Jose, California, and
3 maintained its primary operating account at Wells Fargo Bank (WFB). DANG also owned and operated
4 The Dang's Investment, Inc. (TDI), a California corporation located at 2611 Senter Road, Suite 138, San
5 Jose, California. The primary business of TDI, according to its website, was managing residential and
6 commercial real estate that DANG purchased using profits generated by Network Genesis. TDI also
7 maintained its primary operating accounts with WFB.

8 2. Emile LE and David HUYNH were Network Genesis employees. Among her other
9 duties, LE was responsible for paying Cisco employees for stolen parts. HUYNH's duties included
10 testing those stolen parts and altering the serial numbers at DANG's direction before those parts were
11 sold to Network Genesis' customers.

12 3. Loc Xuan HOANG, HIEU NGUYEN, and unindicted co-conspirator VN were Cisco
13 employees who sold stolen and counterfeit Cisco merchandise to DANG, who paid them in cash for the
14 merchandise.

15 4. Long PHAM and THUY NGUYEN received payments on behalf of DANG and Network
16 Genesis for merchandise Network Genesis sold to its customers. DANG often directed customers to
17 make checks payable to PHAM and THUY NGUYEN, instead of paying Network Genesis directly, for
18 merchandise those customers had purchased from Network Genesis. In return for a commission from
19 DANG, PHAM and THUY NGUYEN cashed some of those checks and deposited others into their own
20 bank accounts, then withdrew the cash in structured amounts and funneled the money back to DANG.

21 5. Edwin LIN owned ECL Market & Deli, a market that also provided check-cashing
22 services to its customers. LIN and ECL cashed checks from Network Genesis customers that were made
23 payable directly to LIN or ECL and also cashed checks made payable to other of DANG's nominees,
24 including PHAM and THUY NGUYEN. ECL was registered as a "money services business" (MSB)
25 with the Financial Crimes Enforcement Network (FinCEN). An MSB is a "domestic financial
26 institution" within the meaning of Title 31, Code of Federal Regulations, Section 1010.100(o) and (t)
27 (formerly 31 C.F.R. § 103.11(n)); as such, an MSB is required to file a Currency Transaction Report
28 (CTR) for cash transactions exceeding \$10,000. 31 C.F.R. § 1010.311. During the period covered by

1 this Indictment, neither LIN nor ECL filed CTRs for any checks they received and cashed on behalf of
2 DANG or from Network Genesis.

3 6. Unindicted co-conspirator PD was a relative of DANG's who also received payments
4 from DANG's customers and funneled the money back to DANG, including, on one occasion, by
5 helping DANG buy a \$105,000 Mercedes Benz automobile.

6 7. Network Genesis' customers were located primarily in Southern California, but Network
7 Genesis also had customers in several other states. Network Genesis primarily used Federal Express, a
8 commercial interstate carrier, to ship orders of stolen Cisco parts to its customers.

9 Background Regarding Fraudulent Sales of Cisco Equipment

10 8. Cisco Systems, Inc. is a multinational corporation headquartered in San Jose,
11 California, that designs, manufactures, and sells computer networking equipment. Cisco has been
12 the victim of a variety of criminal schemes, including counterfeiting and theft. Counterfeiting
13 occurs when Cisco equipment is sold as genuine even though it was not manufactured by Cisco or
14 when it has been altered, such as by substituting non-genuine parts or changing the serial number
15 on those parts. Counterfeiters will sometimes misuse Cisco databases to obtain information,
16 including serial numbers and warranty status, about parts that do not belong to them. For example,
17 a criminal might enter Cisco's database to search for serial number information in order to
18 manufacture, alter, or re-label a Cisco part for resale.

19 9. Internal theft occurs when Cisco employees steal equipment, often for the purpose of
20 selling it. Other types of internal theft involve Cisco employees providing Cisco's internal
21 information, including serial numbers, contracts, or warranty information to resellers, who use that
22 information to alter parts or manufacture counterfeit parts for resale.

23 10. A "test sheet" is a document that shows the diagnostic information for a particular
24 part, and that will include the serial number for that part.

25 11. A media access control address (MAC address) is a unique identifier assigned to
26 network interfaces for communications on the physical network segment. MAC addresses are most
27 often assigned by the manufacturer of a network interface controller card and are stored in its
28 hardware, such as the card's read-only memory or other stored data location. When assigned by the

1 manufacturer, a MAC address usually encodes the manufacturer's registered identification number
 2 and may be referred to as the "burned-in" address. Although it is not particularly difficult to change
 3 the serial number sticker affixed to a piece of computer hardware, it is much more difficult to
 4 change the internal MAC address.

5 The Scheme and Artifice to Defraud

6 12. Beginning no later than January 2006, and continuing through approximately
 7 January 23, 2013, DANG, doing business as Network Genesis, (1) bought counterfeit or stolen
 8 Cisco merchandise from Cisco employees, including HOANG, HIEU NGUYEN, VN, and others
 9 both known and unknown to the Grand Jury, and (2) resold that merchandise to Network Genesis
 10 customers after altering the external serial numbers to make the items he was selling more difficult
 11 to trace. DANG often knowingly provided false test sheets to his customers that corresponded to
 12 the altered serial number on the part he was selling, not to the true internal serial number for that
 13 part.

14 13. In order to hide his true involvement in the scheme, DANG often directed his
 15 customers to send payment for the merchandise to nominees, including, among others, PHAM,
 16 THUY NGUYEN, LIN, ECL, and PD, who, in turn, deposited the money into their own bank
 17 accounts before funneling it back to DANG.

18 COUNT ONE: (18 U.S.C. § 1349 – Conspiracy to Commit Mail Fraud)

19 14. Paragraphs 1 through 13 and the transactions identified in Counts Two through
 20 Seven are alleged and incorporated as if fully set forth here.

21 15. Beginning at a time unknown to the Grand Jury, but no later than in or about January
 22 1, 2006, and continuing through January 23, 2013, in the Northern District of California and
 23 elsewhere, the defendants,

24 CUONG CAO DANG,
 25 a/k/a "Calvin" Dang,
 26 LOC XUAN HOANG,
 27 HIEU NGUYEN,
 28 EMILY LE, and
 DAVID HUYNH,

//

and others both known and unknown to the Grand Jury, conspired to devise and did devise a scheme and artifice (A) to defraud Network Genesis customers as to a material matter, namely, the correct serial number and origin of the item they were purchasing, and (B) to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and by material omissions, and for the purpose of executing such scheme and artifice to defraud, did knowingly and intentionally cause matter to be delivered by the United States Postal Service and private and commercial interstate carriers, in violation of 18 U.S.C. § 1341;

All in violation of Title 18, United States Code, Section 1349.

COUNTS TWO THROUGH SEVEN: (18 U.S.C. § 1341 – Mail Fraud)

16. Paragraphs 1 through 13 are alleged and incorporated as if fully set forth here.

17. On or about the dates set forth below, in the Northern District of California, and elsewhere, for the purpose of executing the material scheme to defraud Network Genesis' customers, and to obtain money from those customers by means of materially false and fraudulent pretenses, representations, promises, and by material omissions, the defendants,

CUONG CAO DANG,
a/k/a "Calvin" Dang,
EMILY LE, and
DAVID HUYNH,

did knowingly cause to be delivered by the United States Postal Service and private and commercial interstate carriers the following items that were shipped from Network Genesis to the locations set forth in each of Counts Two through Seven below:

Count	Date	Description of Mailing	Sent To
2	6/17/2010	Shipment of Cisco 7600 Route Switch Processor, Item No. RSP720-3CXL-GE, three items at \$12,000 each	Customer DW Oklahoma City, OK
3	6/21/2010	Shipment of Cisco SPA Interface Processor 400, Item No. 7600-SIP-400, two items at \$8,500 each	Customer CCNY, Utica, New York
4	6/23/2010	Shipment of (1) Cisco Catalyst 6500, Item No. WS-SUP720-3BXL, three items at \$8,500 each; (2) Cisco Catalyst 6500, Item No. WS-X6748-GE-TX, one item at \$5,400	Customer TKO Westlake Village, CA

5	6/23/2010	Cisco SPA Interface Processor 400, Item No. 7600-SIP-4000, one item at \$8,500	Customer VDS Oldsmar, FL
6	1/03/2013	Shipment of (1) Cisco 7600 Series SPA Interface PROC-400, Item No. 7600-SIP-400, one item at \$2,800; (2) Cisco SUP720 W/2Ports 10GBE, Item No. VS-S720-10G-3C, two items at \$5,000 each.	Customer NS Plymouth, MN
7	1/03/2013	Cisco SPA-8X1GE-V2 8-PORT Gigabit Ethernet Shared Port Adapter, one item at \$1,400	Customer NHR Santa Barbara, CA

All in violation of Title 18, United States Code, Section 1341.

COUNTS EIGHT THROUGH THIRTEEN: (18 U.S.C. §§ 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i) – Money Laundering)

18. Paragraphs 1 through 13 and the transactions alleged in Counts Two through Seven are realleged and incorporated as if fully set forth here.

19. On or about the dates set forth below, in the Northern District of California and elsewhere, the defendant,

CUONG CAO DANG,
a/k/a “Calvin” Dang,

knowing that property involved in a financial transaction represented the proceeds of some form of unlawful activity, and which property was in fact the proceeds of a specified unlawful activity, namely, mail fraud, did conduct a financial transaction:

(a) with the intent to promote the carrying on of that specified unlawful activity, as set forth in each of Counts Eight through Twelve below; and

(b) knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of that specified unlawful activity, as set forth in each of Counts Eight through Thirteen below:

Count	Date	Financial Transaction	Amount
8	01/11/2010	Check # 889464 from Network Genesis to Long Pham with memo reading “Loan 100111-03”	\$30,000

9	01/11/2010	Check # 889465 from Network Genesis to Thuy Nguyen with memo reading "Loan 100111-04"	\$25,000
10	01/21/2010	Cashier's check # 428006726 from D-T Connects LLC to ECL	\$24,900
11	01/21/2010	Cashier's check # 428006725 from D-T Connects LLC to "Edwin Le"	\$25,000
12	02/05/2010	Cashier's check # 428006812 from D-T Connects LLC to Edwin Lin	\$13,600
13	05/18/2010	Cashier's check # 428007943 from Tom Hoang (owner of D-T Connects) to Steven's Creek BMW, used to purchase a 2011 BMW 328i for T.T.L.	\$57,000

All in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i).

COUNTS FOURTEEN AND FIFTEEN: (18 U.S.C. § 1956(a)(3)(C) – Laundering Funds Represented to be Criminally Derived)

20. Paragraphs 1 through 14 are alleged and incorporated as if fully set forth here.

21. On or about the dates set forth below, in the Northern District of California and elsewhere, the defendant,

EDWIN LIN,

with the intent to avoid a transaction reporting requirement under Federal law, did conduct and attempt to conduct a financial transaction involving property represented to be the proceeds of specified unlawful activity and property used to conduct and facilitate specified unlawful activity, namely, Interstate Transportation of Stolen Property, as set forth in each of Counts Fourteen and Fifteen below:

Count	Date	Description of Transaction
14	06/27/2012	Two \$12,500 checks represented to be proceeds from sale of stolen Cisco merchandise
15	06/29/2012	Two \$12,500 checks represented to be proceeds from sale of stolen Cisco merchandise

All in violation of Title 18, United States Code, Section 1956(a)(3)(C).

COUNTS SIXTEEN AND SEVENTEEN: (18 U.S.C. § 1957 – Engaging in Monetary Transactions Using Criminally Derived Property)

22. Paragraphs 1 through 13, and the factual allegations contained in Counts Two through Seven, are alleged and incorporated as if fully set forth here.

23. On or about the dates set forth below, in the Northern District of California, the defendant,

CUONG CAO DANG,
a/k/a “Calvin” Dang,

did, in the United States, knowingly engage in a monetary transaction in criminally derived property of a value greater than \$10,000, said property having in fact been derived from specified unlawful activity, namely, mail fraud, and did so by, through, and to a financial institution, namely Wells Fargo Bank, as set forth in each of Counts Sixteen and Seventeen below:

Count	Date	Financial Transaction	Amount
16	4/02/2010	Withdrawal from Network Genesis WFB account ending in x2746	\$1,730,554
17	10/21/2010	Withdrawal from Network Genesis WFB account x2746, funds deposited into TDI's WFB account x2546	\$2,000,000

All in violation of Title 18, United States Code, Section 1957.

COUNTS EIGHTEEN THROUGH TWENTY-SIX: (31 U.S.C. § 5324(a)(1) and (a)(3) – Structuring)

24. Paragraphs 1 through 13 are alleged and incorporated as if fully set forth here.

25. On or about the dates set forth below, in the Northern District of California, the defendants, as named in each of Counts Eighteen through Twenty-Six, knowingly and for the purpose of evading the reporting requirements of section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, did structure, and assist in structuring, the following transactions with domestic financial institutions, and did so as part of a pattern of illegal activity involving more than \$100,000 in a 12-month period:

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Count	Date(s)	Defendant	Description of Transaction
18	4/20/2009	Long PHAM	Same-day cash withdrawals of \$9,600 and \$9,800 at Bank of America (BOA) branch in Milpitas
19	8/03/2009	Long PHAM	Same-day cash withdrawals of \$9,700 and \$9,800 at BOA branch in Milpitas
20	12/07/2009 and 12/08/2009	Long PHAM	Consecutive-day cash withdrawals of \$9,700 each from BOA branch in Milpitas
21	12/28/2009	Long PHAM	Same-day cash withdrawals of \$9,500 and \$9,800 at BOA branches in Elk Grove and Milpitas, respectively
22	3/09/2009	Thuy NGUYEN	Same-day cash withdrawals of \$9,800 and \$9,700 at separate BOA branches in San Jose
23	5/27/2009	Thuy NGUYEN	Same-day cash withdrawals of \$9,600 and \$9,800 at separate BOA branches in San Jose and Milpitas, respectively
24	7/20/2009 through 7/22/2009	Thuy NGUYEN	Consecutive-day cash withdrawals of \$9,800 each from BOA branches in Milpitas (7/20-21) and San Jose (7/22)
25	8/18/2009 through 8/20/2009	Thuy NGUYEN	Consecutive- and same-day cash withdrawals of \$9,700 (8/18, BOA Milpitas), \$9,800 (8/19, BOA Milpitas and San Jose), and \$9,800 (8/20, BOA Milpitas)
26	11/17/2009 through 11/18/2009	Thuy NGUYEN	Consecutive-day cash withdrawals of \$9,500 and \$9,700 from Wells Fargo Bank

All in violation of Title 31, United States Code, Sections 5324(a)(1) and (a)(3).

COUNTS TWENTY-SEVEN THROUGH THIRTY-TWO: (31 U.S.C. § 5324(a)(1) and (a)(3) – Structuring)

26. Paragraphs 1 through 13 are alleged and incorporated as if fully set forth here.

27. On or about the dates set forth below, in the Northern District of California, the defendant,

EDWIN LIN,

1 knowingly and for the purpose of evading the reporting requirements of section 5313(a) of Title 31,
 2 United States Code, and the regulations promulgated thereunder, did cause and attempt to cause a
 3 domestic financial institution to fail to file a report required under section 5313(a), and fail to
 4 maintain a record required pursuant to a regulation prescribed under section 123 of Public Law 91-
 5 508, and did so as part of a pattern of illegal activity involving more than \$100,000 in a 12-month
 6 period:

Count	Date	Description of Transaction
27	01/15/2010	Cashed check # 889477 (\$27,000), payable to ECL from Network Genesis, failed to filed CTR
28	01/15/2010	Cashed check # 889476 (\$25,000), payable to "Edwin Le" from Network Genesis, failed to filed CTR
29	01/25/2010	Cashed check # 889483 (\$27,000), payable to ECL from Network Genesis, failed to filed CTR
30	01/25/2010	Cashed check # 889484 (\$23,000), payable to Edwin Lin from Network Genesis, failed to filed CTR
31	02/02/2010	Cashed check # 889501 (\$25,500), payable to Edwin Lin from Network Genesis, failed to filed CTR
32	02/02/2010	Cashed check # 889500 (\$26,000), payable to ECL from Network Genesis, failed to filed CTR

16 All in violation of Title 31, United States Code, Sections 5324(a)(1) and (a)(3).

18 **FORFEITURE ALLEGATION:** (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of
 19 Proceeds of Specified Unlawful Activity)

20 28. Paragraphs 1 through 14 as well as the factual allegations contained in Counts One
 21 through Seven of this Indictment are alleged and by this reference fully incorporated here for the
 22 purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C.
 23 2461(c).

24 29. Upon a conviction of any of the offenses alleged in Counts One through Seven, the
 25 defendant,

26 CUONG CAO DANG,
 a/k/a "Calvin" Dang,

27 shall forfeit to the United States all property, constituting and derived from proceeds traceable to
 28 said offenses, including but not limited to the following property:

(a) Real Property: The following real property and improvements:

- (1) 3016 Beckley Drive, San Jose, CA
APN - 660-26-029
- (2) 2526 Qume Dr. #19, San Jose, CA
APN - 244-16-050
- (3) 3005 Silver Creek Rd. 176, San Jose, CA
APN - 670-43-038
- (4) 2611 Senter Rd., San Jose, CA
APN - 497-36-002
- (5) 3151 Senter Rd., San Jose, CA
APN - 494-01-010
- (6) 1189 S. De Anza Blvd., San Jose, CA
APN - 359-35-017
- (7) 992 Story Rd., San Jose, CA
APN - 477-15-130
- (8) 2897 Bouveron Ct., San Jose, CA
APN - 659-43-105
- (9) 3119 Remington Way, San Jose, CA 95148
APN - 659-20-025
- (10) 1763 - 1771 Blossom Hill Rd., San Jose, CA
APN - 527-33-017
- (11) 3630 Kettman Road, San Jose, CA
APN - 676-23-013

(b) Five Vehicles:

- (1) 2011 Mercedes G550, California License Plate Number 6NBP661, Vehicle Identification Number (VIN) WDCYC3HF4BX186618, registered to Cuong C. Dang;
- (2) 2007 Mercedes SL550R, California License Plate Number 5VMV977, VIN WDBSK71F17F123035, registered to Cuong Cao Dang;
- (3) 2011 BMW 328I, California License Plate Number 6MGE874, VIN WBADW7C53BE443536, registered to Ty T. Le;
- (4) 2007 Lotus, California License Plate Number DUSTIN8, VIN SCCPC111X7HL32749, registered to Cuong Dang; and
- (5) 2012 Mercedes-Benz SLSC Coupe, California License Plate Number 6WRC046, VIN WDDRJ7HA7CA009308, registered to Cuong C. Dang;

(c) Bank Accounts: All United States currency, funds, or other monetary instruments from the following accounts on or about July 19, 2013:

- (1) Wells Fargo Bank:

- 1 a. The monies and contents of bank account number ending in x6546, held
2 at Wells Fargo Bank, in the name of The Dang's Investment, Inc.; and
- 3 b. The monies and contents of bank account number ending in x8255, held
4 at Wells Fargo Bank, in the name of The Dang's Investment, Inc.
- 5 (2) JP Morgan Chase Bank:
- 6 a. The monies and contents of bank account number ending in x9825, held at
7 JP Morgan Chase Bank, in the name of Ace Laundromat; and
- 8 b. The monies and contents of bank account number ending in x5896, held at
9 JP Morgan Chase Bank, in the name of Ace Laundromat.
- 10 (3) TIAA-CREF Scholarshare:
- 11 a. The monies and contents of the ScholarShare College Savings Plan (CA)
12 account managed by TIAA-CREF for the benefit of Tiffany DANG;
- 13 b. The monies and contents of the ScholarShare College Savings Plan (CA)
14 account managed by TIAA-CREF for the benefit of Michelle DANG;
- 15 c. The monies and contents of the ScholarShare College Savings Plan (CA)
16 account managed by TIAA-CREF for the benefit of Donna DANG; and
- 17 d. The monies and contents of the ScholarShare College Savings Plan (CA)
18 account managed by TIAA-CREF for the benefit of Dustin DANG.
- 19 (d) Cisco Equipment. All parts seized during the execution of search warrants at the
20 premises of Network Genesis on January 23, 2013, as specifically described in
21 Exhibit A to this Superseding Indictment.
- 22 (e) Luxury items. All items seized during the execution of a search warrant at the
23 residence of Calvin DANG on July 19, 2013, as specifically described in Exhibit B
24 to this Superseding Indictment.
- 25 (f) Currency. Approximately \$2,072 in cash seized during the execution of a search
26 warrant at the residence of Calvin DANG on July 19, 2013.
- 27 30. If any of said property, as a result of any act or omission of the defendant –
- 28 (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without
 difficulty;
- any and all interest defendant has in other property shall be vested in the United States and forfeited to
the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28,
United States Code, Section 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure.

1 SECOND FORFEITURE ALLEGATION: (18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture)

2 31. Paragraphs 1 through 14 as well as the factual allegations contained in Counts Eight
3 through Thirteen, Fifteen, and Sixteen, are alleged and by this reference fully incorporated here for
4 the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. § 982(a)(1).

5 32. Upon a conviction of any of the offenses alleged in Counts Eight through Thirteen,
6 Fifteen, and Sixteen, the defendant,

7 CUONG CAO DANG,
a/k/a "Calvin" Dang,

8 shall forfeit to the United States all property, constituting and derived from proceeds traceable to said
9 offenses, including but not limited to the following property:

10 (a) Real Property: The following real property and improvements:

- 11 (1) 3016 Beckley Drive, San Jose, CA
12 APN - 660-26-029
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14 APN - 244-16-050
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16 APN - 670-43-038
- 17 (4) 2611 Senter Rd., San Jose, CA
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- 19 (5) 3151 Senter Rd., San Jose, CA
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- 25 (8) 2897 Bouveron Ct., San Jose, CA
26 APN - 659-43-105
- 27 (9) 3119 Remington Way, San Jose, CA 95148
28 APN - 659-20-025
- (10) 1763 - 1771 Blossom Hill Rd., San Jose, CA
APN - 527-33-017
- (11) 3630 Kettman Road, San Jose, CA
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(b) Five Vehicles:

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- (2) 2007 Mercedes SL550R, California License Plate Number 5VMV977, VIN WDBSK71F17F123035, registered to Cuong Cao Dang;
 - (3) 2011 BMW 328I, California License Plate Number 6MGE874, VIN WBADW7C53BE443536, registered to Ty T. Le;
 - (4) 2007 Lotus, California License Plate Number DUSTIN8, VIN SCCPC111X7HL32749, registered to Cuong Dang; and
 - (5) 2012 Mercedes-Benz SLSC Coupe, California License Plate Number 6WRC046, VIN WDDRJ7HA7CA009308, registered to Cuong C. Dang;
- (c) Bank Accounts: All United States currency funds or other monetary instruments from the following accounts on or about July 19, 2013:
- (1) Wells Fargo Bank:
 - a. The monies and contents of bank account number ending in x6546, held at Wells Fargo Bank, in the name of The Dang's Investment, Inc.; and
 - b. The monies and contents of bank account number ending in x8255, held at Wells Fargo Bank, in the name of The Dang's Investment, Inc.
 - (2) JP Morgan Chase Bank:
 - a. The monies and contents of bank account number ending in x9825, held at JP Morgan Chase Bank, in the name of Ace Laundromat; and
 - b. The monies and contents of bank account number ending in x5896, held at JP Morgan Chase Bank, in the name of Ace Laundromat.
 - (3) TIAA-CREF Scholarshare:
 - a. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Tiffany DANG;
 - b. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Michelle DANG;
 - c. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Donna DANG; and
 - d. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Dustin DANG.
 - (d) Cisco Equipment. All parts seized during the execution of search warrants at the premises of Network Genesis on January 23, 2013, as specifically described in Exhibit A to this Superseding Indictment.
 - (e) Luxury items. All items seized during the execution of a search warrant at the residence of Calvin DANG on July 19, 2013, as specifically described in Exhibit B to this Superseding Indictment.

//

33. If any of said property, as a result of any act or omission of the defendant –

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

any and all interest defendant has in other property shall be vested in the United States and forfeited to the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure.

THIRD FORFEITURE ALLEGATION: (31 U.S.C. § 5317(c) – Structuring Forfeiture)

34. Paragraphs 1 through 14 as well as the factual allegations contained in Counts Eighteen through Thirty-Two are alleged and by this reference fully incorporated here for the purpose of alleging forfeiture pursuant to the provisions of 31 U.S.C. § 5317(c).

35. Upon a conviction of any of the offenses alleged in Counts Eighteen through Thirty-Two by a defendant named in that count, the defendants,

EDWIN LIN,
LONG PHAM, and
THUY NGUYEN,

shall forfeit to the United States all property constituting and derived from proceeds traceable to said offenses.

36. If any of said property, as a result of any act or omission of the defendants –

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

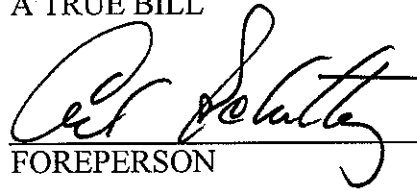
any and all interest defendants have in other property shall be vested in the United States and forfeited to the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18,

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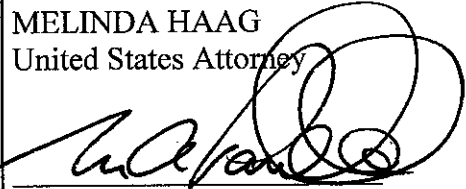
1 United States Code, Section 982(b)(1), and Rule 32.2 of the Federal Rules of Criminal Procedure.

2 DATE: 10/30/2013

A TRUE BILL


FOREPERSON

3
4
5
6 MELINDA HAAG
7 United States Attorney

8 
9 MATTHEW A. PARRELLA
10 Chief, Computer Hacking/Intellectual Property

11 (Approved as to form: 
12 (AUSA David R. Callaway)

EXHIBIT A

CISCO ITEMS SEIZED		
SEARCH WARRANT DATE:	1/23/2013	
SITE:	2526 QUME DR. #19, SAN JOSE	
Number	Serial #	Product #
1	SAL150458AT	RSP7ZO-3C-GE
2	JAF1450DGEL	N7K-M13ZXP-1Z
3	JAE1ZZ1J166	ASR1000-RP1
4	JAB103401KE	SPA-5X1GE
5	JAE13Z7DEPQ	SPA-1CHOC3-CE-ATM
6		Cisco Catalyst 6513
7		Cisco Catalyst 6513
8		Cisco Nexus 7000
9		Cisco Rack 7600
10		Cisco ASR 1000
11		Cisco 3845
12		Cisco ASR 1004
13	JAB1001039B	SPA-ZX1GE
14	JAB103706EG	SPA-4XOC1Z-POS
15	JAB1010405M5	SPA-1XTENGE-XFP
16	JAE114A5RG3	SPA-4XOC1Z-POS
17	JAE11076E65	SPA-ZX1GE
18	JAB094805XN	SPA-1XTENGE-XFP
19	JAE14200CEX	SPA-4XOC1Z-POS
20	JAE14200CEY	SPA-4XOC1Z-POS
21	JAB093503HE	SPA-ZX1GE
22	JAB093402H2	SPA-4XT3-E3
23	JAE1341L40Z	SPA-1XTENGE-XFP
24	JAB10230A1H	SPA-1XTENGE-XFP
25	JAB105106F9	SPA-1XTENGE-XFP
26	JAB093805B4	SPA-1XTENGE-XFP
27	JAB113804E2	SPA-4XOC1Z-POS
28	JAB1009009D	SPA-ZX1GE
29	JAB09260706	SPA-1XTENGE-XFP
30	JAB0921026Z	SPA-ZXT3-E3
31	JAE15280F1E	SPA-4XCT3-DSO
32	JAB092606Y9	SPA-1XTENGE-XFP
33	JAB09034GR	SPA-1XTENGE-XFP
34	JAB122101PM	N7K-SUP1
35	JAF1520ATLH	N7K-M148GT-11L
36	JAB122000GU	N7K-M148GT-11
37	16412159	PA-ZFE1SL-TX
38	JAB104906AS	SPA-4XOC3-POS-VZ
39	JAE12034X9G	SPA-ZXOC3-POS
40	JAB095005KT	SPA-ZXOC3-POS
41	JAE1238VI7U	SPA-ZXOC3-POS
42	JAB104209B2	SPA-4XOC3-POS
43	JAB110405LD	SPA-4XOC3-POS-VZ
44	JAE10490629	SPA-4XOC3-POS
45	JAB10100J2P	SPA-4XOC3-POS-VZ
46	JAB10060969	SPA-ZXOC3-POS
47	JAE0842YDW5	PA-A3-T3
48	10734271	PA-8T-V35
49	JAB0904041H	SPA-10X1GE
50	JAE1242XFVC	SPA-5X1GE
51	JAB103902GR	SPA-5X1GE
52	JAB093003QA	SPA-5X1GE
53	JAB094403B7	SPA-10X1GE
54	JAB093405W0	SPA-10X1GE
55	JAB104209BS	SPA-4XOC3-POS
56	JAB104209BE	SPA-4XOC3-POS
57	JAE1245ZE9R	SPA-4XOC3-POS-VZ
58	JAE1140YDX3	7600-ESZO-GE3CXL
59	JAE13157582	7600-ESZO-10G3C
60	JAB114201A1	7600-ESZO-10G3C
61	JAE11506HRH	7600-ESZO-GE3CXL
62	JAE104702VA	SPA-ZXOC3-POS
63	JAB101007SK	SPA-ZXOC3-POS
64	JAB095005N0	SPA-ZXOC3-POS
65	JAB093104EN	SPA-ZXOC3-POS
66	JAE11032A5B	SPA-ZXOC3-POS

CISCO ITEMS SEIZED		
SEARCH WARRANT DATE:	1/23/2013	
SITE:	2526 QUME DR. #19, SAN JOSE	
Number	Serial #	Product #
67	JAE1119GR8P	SPA-ZXOC3-POS
68	JAF1449DMAB	N7K-M148GT-11
69	JAB122000V9	N7K-M148GT-11
70	JAE1226MU1Y	7600-PFC3C-10GE
71	JAE1226MUZO	7600-PFC3C-10GE
72	SAL1434RKJJ	VS-F6K-PFC3C
73	SAD120504F9	VS-F6K-PFC3C
74	JAE1128PVSD	7600-PFC3C-10GE
75	JAB105005X0	SPA-1XOC48-ATM
76	JAB110305W1	SPA-1X10GE-WL-VZ
77	JAB103904FL	SPA-1XOC1Z-ATM
78	JAE1349PF5T	SPA-1X10GE-WL-VZ
79	JAE1345N91K	SPA-1XCHSTM1-OC3
80	JAE1138XCOZ	SPA-4XOC3-ATM
81	JAE1349PF5U	SPA-1X10GE-WL-VZ
82	JAE151003FJ	SPA-ZXOC48POS-RPR
83	JAE1133U0KH	SPA-ZXCT3-DS-O
84	JAE110766DD	SPA-4XOC3-ATM
85	JAE1329EO99	SPA-1XOC48-ATM
86	JAB095005XP	SPA-1XCHSTM1-OC3
87	JAE1333GXIF	SPA-4XOC48POS-RPR
88	JAB094907D1	SPA-ZXOC48POS-RPR
89	JAE1138SRW	SPA-4XOC3-ATM
90	JAE1217G0HS	SPA-1X10GE-WL-VZ
91	JAE1035A1NT	SPA-ZXCT3-DS-O
92	JAE1049GH25	SPA-ZXCT3-DS-O
93	JAE14190AFW	SPA-8XOC1Z-POS
94	JAE1341L22E	SPA-8XOC1Z-POS
95	JAE1335I0XR	SPA-8XOC1Z-POS
96	JAE1214D3O5	SPA-8XOC1Z-POS
97	JAE1339KO7J	SPA-8XOC1Z-POS
98	JAE12046H7B	SPA-4XOC3-POS
99	JAE1117EE47	SPA-4XOC3-POS
100	SAL1004BGNP	WS-X614-8V-GE-TX
101	SAL10019PN1	WS-X614-8V-GE-TX
102	SAL1050ASCY	WS-X614-8V-GE-TX
103	SAL1022PTYZ	WS-X614-8V-GE-TX
104	JAB104505LU	7600-ESZO-GE3CXL
105	JAB113800NG	7600-ESZO-10G3C
106	JAE1140YDVA	7600-ESZO-GE3CXL
107	JAB11130134	7600-ESZO-10G3CXL
108	JAB1047041B	7600-ESZO-10G3CXL
109	SAD0930C82	WS-F6K-PFC3BXL
110	SAD093008RF	WS-F6700-DFC3BXL
111	JAB101505YN	SPA-ZXOC3-ATM
112	JAB092306BJ	SPA-ZXOC3-ATM
113	JAB1029053A	SPA-ZXOC3-ATM
114	JAB09470174	OSM-4OC1Z-POS-SIT
115	SAD100105JH	WS-SVC-NAM-Z
116	JAE1129QRK1	RSP7ZO-3CGE
117	JAE11221ZP2	ASR1000-SIP10
118	SAL150355EC	RSP7ZO-3CGE
119	JAB12230101	N7K-SUP1
120	JAB122200U3	N7K-M13XP-1Z
121	JAF1518DFER	N7K-M148GS-11L
122	SAD084104RF	WS-X6148-GE-TX
123	SAL11413X7N	WS-X6148-GE-TX
124	SAL11413X4U	WS-X6148-GE-TX
125	SAL10019L1J	WS-X6148-GE-TX
126	SAD08250A9G	WS-X6148-GE-TX
127	JAE12503BF1	SPA-IPSEC-ZG
128	JAB0934096T	SPA-IPSEC-ZG
129	JAB110105BJ	SPA-ZXOC1Z-POS
130	JAB104804U5	SPA-ZXOC3-POS
131	JAE12099NKR	SPA-Z4CHT1-CE-ATM
132	JAE11506ZPE	SPA-Z4CHT3-CE-ATM

CISCO ITEMS SEIZED		
SEARCH WARRANT DATE:	1/23/2013	
SITE:	2526 QUME DR. #19, SAN JOSE	
Number	Serial #	Product #
133	JAE1351RR3P	SPA-1XOC48POS-RPR
134	JAE134AQ2L7	SPA-OC1AZPOS-XFP
135	JAE12503BEF	SPA-IPSEC-ZG
136	JAB0918063G	SPA-IPSEC-ZG
137	JAB094305DS	SPA-IPSEC-ZG
138	JAE115295AT	SPA-1CHOC3-CE-ATM
139	JAB10210JW5	SPA-IPSEC-ZG
140	JAE12034XAL	SPA-ZXOC3-POS
141	JAB110605J1	SPA-ZXOC1Z-POS
142	JAB093901SA	SPA-OC1AZPOS-LR
143	JAB094803WY	SPA-ZX1GE
144	JAB093003Q3	SPA-5X1GE
145	JAB101500UG	SPA-ZX1GE
146	JAE1115C5WZ	SPA-ZX1GE
147	SAL10019M8W	WS-X6148-GE-TX
148	SAL100195RL	WS-X6148-GE-TX
149	JAB093205PC	OSM-1OC48-POS-SST
150	JAB0907014S	OSM-4OC3-POS-SIT
151	SAL1450290Y	WS-X6716-1OT-3C
152	SAL15045S9D	RSP7Z0-3C-GE
153	SAL14502909	WS-X6716-1OT-3C
154	NSG0532904L	73-7409-O3
155	JAB10340608	SPA-1XOC12POS
156	SAL09073SKN	
157	SAL1101D0U9	
158	SAL11413EYS	
159	SAL1023QA6E	
160	SAL1214KX5X	
161	SAL1205ESCN	
162	SAL1209H6MZ	
163	SAL1207GEWH	
164	SAL1022Q094	
165	SAL1214KWZL	
166	SAL1208HJA	
167	SAL1215M5HS	
168	SAD12050506J0	
169	SAL1014HVPS	
170	SAD1150018	
171	SADE1113019C	
172	SAL1213K4BV	
173	JAE1124LFKE	
174	JAB100800ZW	
175	JAB102400AK	
176	SAL10360H0J	
177	SAL1316N93N	
178	SAL12351KBP	
179	SAD1025094L	
180	99JHC040200620	
181	1021302L	Cisco 3600
182	JAE1ZZ1J166	ASR1000-RP1
183	JAB110106GH	SPA-1XTENGE-XFP
184	JAE13Z7DEPQ	SPA-1CHOC3-CE-ATM
185	JAB103AO1KE	SPA-5X1GE
186	JAF145ODGEL	N7K-M13ZXP-1Z

EXHIBIT B

EXHIBIT B

*Items seized were considered high-end designer brands, appeared to be new and/or still had price tags attached.

Line Item	Category	Description	Serial Number (if available)
1	Assorted Clothing	Gucci	
2	Assorted Clothing	Louis Vuitton	
3	Assorted Clothing	Versace	
4	Clothing	Assorted	
5	Belts	5 Chanel	
6	Belts	10 Gucci	
7	Belts	8 Louis Vuitton	
8	Belts	7 Versace	
9	Belts	11 Assorted	
10	Blanket	1 Louis Vuitton	
11	Broaches	2 Chanel	
12	Camera	1 Kodak	
13	Camera	1 Nikon	
14	Camera Lenses	2 Nikon	
15	Camera Model 3CST 10169	Hasselbad	
16	Hat	1 Louis Vuitton	
17	Jackets	Chanel	
18	Jackets	Gucci	
19	Jackets	Louis Vuitton	
20	Jackets	Versace	
21	Jewelry	1 Chanel silver women's ring	
22	Jewelry	1 clear stone earring (not a pair)	
23	Jewelry	1 Crystal stud	
24	Jewelry	1 flower women's ring	
25	Jewelry	1 gold crab pen	
26	Jewelry	1 gold pendant w/pearl and tan clear stones	
27	Jewelry	1 Jade Dog and Pig Gold necklace	
28	Jewelry	1 pair Chanel gold colored earrings	
29	Jewelry	1 pair of Chanel earrings w/ hanging black balls	
30	Jewelry	1 purple stone earring (not a pair)	
31	Jewelry	18kt white gold band w/one small clear stone	
32	Jewelry	18kt white gold men's ring w/ one large clear stone and 16 smaller clear stones	
33	Jewelry	Gold necklace w/Jade pendant	
34	Jewelry	Platinum band	
35	Jewelry	Square women's chanel ring w/ large stone and 15 smaller surrounding stones	
36	Jewelry	Women's cat ring	
37	Jewelry	Women's white 18kt gold ring w/ 1 large pearl w/ 8 surrounding colored stones	
38	Lighters	2 St. Dupont	
39	Men's Shoes	10 Gucci	
40	Men's Shoes	13 Louis Vuitton	
41	Men's Shoes	4 Mezlan	
42	Men's Shoes	1 Pal Zileri	
43	Men's Shoes	1 Prada	
44	Men's Shoes	12 Versace	
45	Necklaces	2 Chanel	
46	Necklace	1 Pearl	
47	Necklaces	3 Versace	
48	Pens	3 Cartier	
49	Pen	1 Crocodile	
50	Pens	6 Ferrari	
51	Pen	1 Gucci	
52	Pen	1 Louis Vuitton	
53	Pen	1 Rolex	
54	Pens	5 Versace	
55	Phone	1 Iridium Satellite Phone	
56	Phone	1 Iphone 5	
57	Phone	1 Versace Digital Phone	
58	Pin	1	
59	Purse	Caracalla bagaglio-Black	
60	Purse	Cartier -Black-Brief Case	
61	Purse	Chanel-Black	12250216
62	Purse	Chanel-Black	13195155
63	Purse	Chanel-Black	12198935
64	Purse	Chanel-Black clutch	12083490
65	Purse	Chanel-Black roller bag	
66	Purse	Chanel-Black rolling luggage	13547130
67	Purse	Chanel-Brown/Burgundy	11329826
68	Purse	Chanel-Burgundy	15060573
69	Purse	Chanel-Cream	11354205
70	Purse	Chanel-Crème	11926407
71	Purse	Chanel-Dark Grey	13103873
72	Purse	Chanel-Purple	12361962
73	Purse	Chanel-Red	13272584
74	Purse	Chanel-Red	11403791

*Items seized were considered high-end designer brands, appeared to be new and or still had price tags attached.

Line Item	Category	Description	Serial Number (if available)
75	Purse	Chanel-Red	11805897
76	Purse	Chanel-Red Wallet	12883061
77	Purse	Chanel-Silver	11267732
78	Purse	Chanel-White	9870259
79	Purse	Chanel-White	11255413
80	Purse	Chanel-White	12970294
81	Purse	Gucci-Beige	251818000926
82	Purse	Gucci-Black	197021467891
83	Purse	Gucci-Black	289892001998
84	Purse	Gucci-Black Wallet	A1125027
85	Purse	Gucci-Blue (has matching blue shoes)	317638486628
86	Purse	Gucci-Blue (same serial # as above)	295257498879
87	Purse	Gucci-Blue-purse	240241213048
88	Purse	Gucci-Blue-Wallet (matches blue purse)	
89	Purse	Gucci-Brown	197016001013
90	Purse	Gucci-Brown	224964486628
91	Purse	Gucci-Brown	295257498879
92	Purse	Gucci-Brown pouch	
93	Purse	Gucci-Brown Snakeskin	2119432123
94	Purse	Gucci-Brown wallet	172080002046
95	Purse	Gucci-Grey Snakeskin Bag	189872492783
96	Purse	Gucci-Pink	189835000926
97	Purse	Gucci-Purple	135952467891
98	Purse	Gucci-Silver	167732002122
99	Purse	Gucci-Small White bag	190400506631
100	Purse	Gucci-White/Brown	223666203998
101	Purse	Judith Leiber-Gold	
102	Purse	Louis Vuitton-Black	FO0088
103	Purse	Louis Vuitton-Black	
104	Purse	Louis Vuitton-Black	M93492
105	Purse	Louis Vuitton-Black - Computer Bag	
106	Purse	Louis Vuitton-Black Evening bag	
107	Purse	Louis Vuitton-Black Luggage	N23299
108	Purse	Louis Vuitton-Brown	M97015
109	Purse	Louis Vuitton-Brown	
110	Purse	Louis Vuitton-Brown and Red	
111	Purse	Louis Vuitton-Brown and Silver	
112	Purse	Louis Vuitton-Brown Luggage	BA3078
113	Purse	Louis Vuitton-Brown Luggage	FO3160
114	Purse	Louis Vuitton-Brown Luggage Cosmetic bag	M47280
115	Purse	Louis Vuitton-Brown sparkle	102192
116	Purse	Louis Vuitton-Burgundy	
117	Purse	Louis Vuitton-Burgundy large bag	
118	Purse	Louis Vuitton-Grey	
119	Purse	Louis Vuitton-Small-Brown	
120	Purse	Louis Vuitton-White	
121	Purse	Louis Vuitton-White Purse	FL0066
122	Purse	Louis Vuitton-white small purse/clutch	
123	Purse	Louis Vuitton-White Wallet	
124	Purse	Prada-Black	
125	Purse	Prada-Coral	5571
126	Purse	Prada-Pink	
127	Purse	Versace-Black	
128	Purse	Versace-Black	
129	Purse	Versace-Black	
130	Purse	Versace-Black	
131	Purse	Versace-Black Wallet	
132	Purse	Versace-Black Wallet	
133	Purse	Versace-Blue	
134	Purse	Versace-Coffee Brown	
135	Purse	Versace-Furry White	
136	Purse	Versace-Green	
137	Purse	Versace-Pink	
138	Purse	Versace-Purple	
139	Purse	Versace-Purple	
140	Purse	Versace-Purple Snakeskin	
141	Purse	Versace-Purple snakeskin wallet/clutch (matches purse)	
142	Purse	Versace-Red	205215619
143	Purse	Versace-Red Wallet/clutch	
144	Purse	Versace-Silver	
145	Scarf	1 Louis Vuitton	
146	Shawl	1 Louis Vuitton	
147	Sunglasses	8 Cartier	
148	Sunglasses	10 Chanel	
149	Sunglasses	7 Gucci	
150	Sunglasses	10 Louis Vuitton	
151	Sunglasses	3 Versace	

*Items seized were considered high-end designer brands, appeared to be new and or still had price tags attached.

Line Item	Category	Description	Serial Number (if available)
152	Ties	3 Chanel	
153	Watch	Black Chanel Automatic	LK92412
154	Watch	Black Chanel Automatic	IS40832
155	Watch	Black Versace Watch	A360031
156	Watch	Chanel J12 automatic	28382
157	Watch	Gold-Silver Rolex Submariner	
158	Watch	Rolex Silver Date Just	16233
159	Watch	Rolex Silver Date Just	950PT
160	Watch	Rose gold date just	750
161	Watch	Silver Cartier	91985LX
162	Watch	Silver Gold Rolex Cosmograph	
163	Watch	Silver Mercedes Benz	603082
164	Watch	Silver Omega Seamaster Watch 007	3171
165	Watch	Silver Rolex Cosmograph	
166	Watch	Silver Rolex Day-Date	950PT
167	Watch	Silver Rolex Milgauss	
168	Watch	Silver Tag Heuer	CN1151
169	Watch	Silver Tag Heuer Carrera	CV2050-0
170	Watch	Silver Versace Automatic	K831404
171	Watch	Silver/ Gold Cartier Automatic	778677CE
172	Watch	Silver/Gold Rolex Date Just	750
173	Women's Shoes	13 Chanel	
174	Women's Shoes	27 Gucci	
175	Women's Shoes	21 Louis Vuitton	
176	Women's Shoes	1 Prada	
177	Women's Shoes	7 Versace	

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

 SEALED BY ORDER
 OF THE COURT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT

CUONG CAO DANG aka

DISTRICT COURT NUMBER

CR-13-00486-EJD

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

S/A Quyen Barg /IRS

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE
CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) DAVID R. CALLAWAY

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge
-
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
-
- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments: Arraignment to be scheduled with attorney

11

ATTACHMENT TO PENALTY SHEET

U.S. v. Cuong Cao "Calvin" Dang, et al.

CR 13-00486 EJD

Count One: 18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Loc Xuan HOANG
HIEU NGUYEN
✓ Emily LE, and
✓ David Huynh

Maximum Penalties: Up to twenty years imprisonment;
\$250,000 fine (or twice the gain/loss);
Three years supervised release;
\$100 special assessment.

Counts Two through Seven: 18 U.S.C. § 1341 - Mail Fraud

Defendants Charged: ✓ Cuong Cao "Calvin" DANG
✓ Emily LE, and
✓ David Huynh

Maximum Penalties: (same as Count One)

Counts 8-13: 18 U.S.C. §§ 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i): Money Laundering

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 20 years imprisonment;
\$500,000 fine (or twice the gross gain/loss);
Three years supervised release;
\$100 special assessment.

Counts 14-15: 18 U.S.C. § 1956(a)(3)(C): Money Laundering (Funds Represented to be
Criminally Derived)

Defendant Charged: ✓ Edwin LIN

Maximum Penalties:  (same as Counts 8-13)

Counts 16-17: 18 U.S.C. § 1957(a): Engaging in Monetary Transactions Using Criminally
Derived Property

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 10 years imprisonment;
\$250,000 fine (or twice the amount of the criminally
derived property involved in the transaction);
Three years supervised release;
\$100 special assessment.

Counts 18-26: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendants Charged: ✓ Long PHAM (18-21)
✓ THUY NGUYEN (22-26)

Maximum Penalties: 10 years imprisonment [enhanced penalty; otherwise 5 years];
\$500,000 fine (or twice the gross gain/loss) [enhanced; otherwise
\$250,000 or twice the gross gain/loss];
Three years supervised release;
\$100 special assessment.

Counts 27-32: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendant Charged: ✓ Edwin LIN

Maximum Penalties: (same as Counts 18-26)

First Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of
Proceeds of Specified Unlawful Activity

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Second Forfeiture Allegation: 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Third Forfeiture Allegation: 31 U.S.C. § 5317(c) – Structuring Forfeiture

Defendants Charged: ✓ Edwin LIN
✓ Long PHAM
✓ THUY NGUYEN

Forfeitable Property: Substitute Assets (no property seized to date)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

 SEALED BY ORDER
 OF THE COURT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT

Emily Le

DISTRICT COURT NUMBER

CR-13-00486-EJD

DEFENDANT**IS NOT IN CUSTODY**

- Has not been arrested, pending outcome this proceeding.
- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

S/A Quyen Barg /IRS

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) DAVID R. CALLAWAY

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

Δ2

ATTACHMENT TO PENALTY SHEET
U.S. v. Cuong Cao "Calvin" Dang, et al.
CR 13-00486 EJD

Count One: 18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Loc Xuan HOANG
HIEU NGUYEN
Emily LE, and
David Huynh

Maximum Penalties: Up to twenty years imprisonment;
\$250,000 fine (or twice the gain/loss);
Three years supervised release;
\$100 special assessment.

Counts Two through Seven: 18 U.S.C. § 1341 - Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Emily LE, and
David Huynh

Maximum Penalties: (same as Count One)

Counts 8-13: 18 U.S.C. §§ 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i): Money Laundering

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 20 years imprisonment;
\$500,000 fine (or twice the gross gain/loss);
Three years supervised release;
\$100 special assessment.

Counts 14-15: 18 U.S.C. § 1956(a)(3)(C): Money Laundering (Funds Represented to be
Criminally Derived)

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 8-13)

Counts 16-17: 18 U.S.C. § 1957(a): Engaging in Monetary Transactions Using Criminally
Derived Property

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 10 years imprisonment;
\$250,000 fine (or twice the amount of the criminally
derived property involved in the transaction);
Three years supervised release;
\$100 special assessment.

Counts 18-26: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendants Charged: Long PHAM
THUY NGUYEN

Maximum Penalties: 10 years imprisonment [enhanced penalty; otherwise 5 years];
\$500,000 fine (or twice the gross gain/loss) [enhanced; otherwise
\$250,000 or twice the gross gain/loss];
Three years supervised release;
\$100 special assessment.

Counts 27-32: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 18-26)

First Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of
Proceeds of Specified Unlawful Activity

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Second Forfeiture Allegation: 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Third Forfeiture Allegation: 31 U.S.C. § 5317(c) – Structuring Forfeiture

Defendants Charged: Edwin LIN
Long PHAM
THUY NGUYEN

Forfeitable Property: Substitute Assets (no property seized to date)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

 SEALED BY ORDER
 OF THE COURT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

 Filed
 OCT 30 2013

DEFENDANT - U.S.

David Huynh

 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 DISTRICT COURT
 SAN JOSE
 CR-13-00486-EJD
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

S/A Quyen Barg /IRS

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) DAVID R. CALLAWAY

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge
-
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
-
- 6)
- ☐
- Awaiting trial on other charges
-
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments:

43

ATTACHMENT TO PENALTY SHEET
U.S. v. Cuong Cao "Calvin" Dang, et al.
CR 13-00486 EJD

Count One: 18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Loc Xuan HOANG
HIEU NGUYEN
Emily LE, and
David Huynh

Maximum Penalties: Up to twenty years imprisonment;
\$250,000 fine (or twice the gain/loss);
Three years supervised release;
\$100 special assessment.

Counts Two through Seven: 18 U.S.C. § 1341 - Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Emily LE, and
David Huynh

Maximum Penalties: (same as Count One)

Counts 8-13: 18 U.S.C. §§ 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i): Money Laundering

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 20 years imprisonment;
\$500,000 fine (or twice the gross gain/loss);
Three years supervised release;
\$100 special assessment.

Counts 14-15: 18 U.S.C. § 1956(a)(3)(C): Money Laundering (Funds Represented to be Criminally Derived)

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 8-13)

Counts 16-17: 18 U.S.C. § 1957(a): Engaging in Monetary Transactions Using Criminally Derived Property

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 10 years imprisonment;
\$250,000 fine (or twice the amount of the criminally
derived property involved in the transaction);
Three years supervised release;
\$100 special assessment.

Counts 18-26: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendants Charged: Long PHAM
THUY NGUYEN

Maximum Penalties: 10 years imprisonment [enhanced penalty; otherwise 5 years];
\$500,000 fine (or twice the gross gain/loss) [enhanced; otherwise
\$250,000 or twice the gross gain/loss];
Three years supervised release;
\$100 special assessment.

Counts 27-32: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 18-26)

First Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of
Proceeds of Specified Unlawful Activity

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Second Forfeiture Allegation: 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Third Forfeiture Allegation: 31 U.S.C. § 5317(c) – Structuring Forfeiture

Defendants Charged: Edwin LIN
Long PHAM
THUY NGUYEN

Forfeitable Property: Substitute Assets (no property seized to date)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING

OFFENSE CHARGED

SEE ATTACHMENT

SEALED BY ORDER
OF THE COURT

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION
RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

DEFENDANT - U.S.

Loc Xuan Hoang,

DISTRICT COURT NUMBER

CR-13-00486-EJD

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

S/A Quyen Barg /IRS

- ☐ person is awaiting trial in another Federal or State Court,
 give name of court

- ☐ this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

- ☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on motion
 of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW
DOCKET NO.

- ☐ this prosecution relates to a
 pending case involving this same
 defendant

MAGISTRATE
CASE NO.

- ☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) DAVID R. CALLAWAY

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior
 summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer ☐ Yes
 been filed? ☐ No

If "Yes"
 give date
 filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:



Date/Time: _____ Before Judge: _____

Comments: Arraignment to be scheduled with attorney

Δ4

ATTACHMENT TO PENALTY SHEET
U.S. v. Cuong Cao "Calvin" Dang, et al.
CR 13-00486 EJD

Count One: 18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Loc Xuan HOANG
HIEU NGUYEN
Emily LE, and
David Huynh

Maximum Penalties: Up to twenty years imprisonment;
\$250,000 fine (or twice the gain/loss);
Three years supervised release;
\$100 special assessment.

Counts Two through Seven: 18 U.S.C. § 1341 - Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Emily LE, and
David Huynh

Maximum Penalties: (same as Count One)

Counts 8-13: 18 U.S.C. §§ 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i): Money Laundering

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 20 years imprisonment;
\$500,000 fine (or twice the gross gain/loss);
Three years supervised release;
\$100 special assessment.

Counts 14-15: 18 U.S.C. § 1956(a)(3)(C): Money Laundering (Funds Represented to be
Criminally Derived)

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 8-13)

Counts 16-17: 18 U.S.C. § 1957(a): Engaging in Monetary Transactions Using Criminally
Derived Property

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 10 years imprisonment;
\$250,000 fine (or twice the amount of the criminally
derived property involved in the transaction);
Three years supervised release;
\$100 special assessment.

Counts 18-26: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendants Charged: Long PHAM
THUY NGUYEN

Maximum Penalties: 10 years imprisonment [enhanced penalty; otherwise 5 years];
\$500,000 fine (or twice the gross gain/loss) [enhanced; otherwise
\$250,000 or twice the gross gain/loss];
Three years supervised release;
\$100 special assessment.

Counts 27-32: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 18-26)

First Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of
Proceeds of Specified Unlawful Activity

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Second Forfeiture Allegation: 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Third Forfeiture Allegation: 31 U.S.C. § 5317(c) – Structuring Forfeiture

Defendants Charged: Edwin LIN
Long PHAM
THUY NGUYEN

Forfeitable Property: Substitute Assets (no property seized to date)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

Hieu Nguyen

DISTRICT COURT NUMBER
CR-13-00486-EJD**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

S/A Quyen Barg /IRS

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE
CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

 Name and Office of Person
 Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

 Name of Assistant U.S.
 Attorney (if assigned) DAVID R. CALLAWAY
DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge
-
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
-
- 6)
- ☐
- Awaiting trial on other charges
-
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Bail Amount: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

A5

ATTACHMENT TO PENALTY SHEET
U.S. v. Cuong Cao "Calvin" Dang, et al.
CR 13-00486 EJD

Count One: 18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Loc Xuan HOANG
HIEU NGUYEN
Emily LE, and
David Huynh

Maximum Penalties: Up to twenty years imprisonment;
\$250,000 fine (or twice the gain/loss);
Three years supervised release;
\$100 special assessment.

Counts Two through Seven: 18 U.S.C. § 1341 - Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Emily LE, and
David Huynh

Maximum Penalties: (same as Count One)

Counts 8-13: 18 U.S.C. §§ 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i): Money Laundering

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 20 years imprisonment;
\$500,000 fine (or twice the gross gain/loss);
Three years supervised release;
\$100 special assessment.

Counts 14-15: 18 U.S.C. § 1956(a)(3)(C): Money Laundering (Funds Represented to be
Criminally Derived)

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 8-13)

Counts 16-17: 18 U.S.C. § 1957(a): Engaging in Monetary Transactions Using Criminally
Derived Property

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 10 years imprisonment;
\$250,000 fine (or twice the amount of the criminally
derived property involved in the transaction);
Three years supervised release;
\$100 special assessment.

Counts 18-26: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendants Charged: Long PHAM
THUY NGUYEN

Maximum Penalties: 10 years imprisonment [enhanced penalty; otherwise 5 years];
\$500,000 fine (or twice the gross gain/loss) [enhanced; otherwise
\$250,000 or twice the gross gain/loss];
Three years supervised release;
\$100 special assessment.

Counts 27-32: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 18-26)

First Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of
Proceeds of Specified Unlawful Activity

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Second Forfeiture Allegation: 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Third Forfeiture Allegation: 31 U.S.C. § 5317(c) – Structuring Forfeiture

Defendants Charged: Edwin LIN
Long PHAM
THUY NGUYEN

Forfeitable Property: Substitute Assets (no property seized to date)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

Long Pham

DISTRICT COURT NUMBER

CR-13-00486-EJD

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

S/A Quyen Barg /IRS

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

DAVID R. CALLAWAY

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☐ If not detained give date any prior summons was served on above charges

 2) ☐ Is a Fugitive

 3) ☐ Is on Bail or Release from (show District)
IS IN CUSTODY
 4) ☐ On this charge

 5) ☐ On another conviction

☐ Federal ☐ State

 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

ΔC

ATTACHMENT TO PENALTY SHEET
U.S. v. Cuong Cao "Calvin" Dang, et al.
CR 13-00486 EJD

Count One: 18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Loc Xuan HOANG
HIEU NGUYEN
Emily LE, and
David Huynh

Maximum Penalties: Up to twenty years imprisonment;
\$250,000 fine (or twice the gain/loss);
Three years supervised release;
\$100 special assessment.

Counts Two through Seven: 18 U.S.C. § 1341 - Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Emily LE, and
David Huynh

Maximum Penalties: (same as Count One)

Counts 8-13: 18 U.S.C. §§ 1956(a)(1)(A)(i) and 1956(a)(1) (B)(i): Money Laundering

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 20 years imprisonment;
\$500,000 fine (or twice the gross gain/loss);
Three years supervised release;
\$100 special assessment.

Counts 14-15: 18 U.S.C. § 1956(a)(3)(C): Money Laundering (Funds Represented to be
Criminally Derived)

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 8-13)

Counts 16-17: 18 U.S.C. § 1957(a): Engaging in Monetary Transactions Using Criminally
Derived Property

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 10 years imprisonment;
\$250,000 fine (or twice the amount of the criminally
derived property involved in the transaction);
Three years supervised release;
\$100 special assessment.

Counts 18-26: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendants Charged: Long PHAM
THUY NGUYEN

Maximum Penalties: 10 years imprisonment [enhanced penalty; otherwise 5 years];
\$500,000 fine (or twice the gross gain/loss) [enhanced; otherwise
\$250,000 or twice the gross gain/loss];
Three years supervised release;
\$100 special assessment.

Counts 27-32: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 18-26)

First Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of
Proceeds of Specified Unlawful Activity

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Second Forfeiture Allegation: 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Third Forfeiture Allegation: 31 U.S.C. § 5317(c) – Structuring Forfeiture

Defendants Charged: Edwin LIN
Long PHAM
THUY NGUYEN

Forfeitable Property: Substitute Assets (no property seized to date)

AO 257 (Rev. 1/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING**OFFENSE CHARGED**

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

SEALED BY ORDER
OF THE COURT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S. DISTRICT COURT

Thuy Nguyen

DISTRICT COURT NUMBER

CR-13-00486-EJD

OCT 30 2013
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

S/A Quyen Barg /IRS

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSESHOW
DOCKET NO.☐ this prosecution relates to a pending case involving this same defendantMAGISTRATE
CASE NO.☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

DAVID R. CALLAWAY

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☐ If not detained give date any prior summons was served on above charges2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

Δ7

ATTACHMENT TO PENALTY SHEET
U.S. v. Cuong Cao "Calvin" Dang, et al.
CR 13-00486 EJD

Count One: 18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Loc Xuan HOANG
HIEU NGUYEN
Emily LE, and
David Huynh

Maximum Penalties: Up to twenty years imprisonment;
\$250,000 fine (or twice the gain/loss);
Three years supervised release;
\$100 special assessment.

Counts Two through Seven: 18 U.S.C. § 1341 - Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Emily LE, and
David Huynh

Maximum Penalties: (same as Count One)

Counts 8-13: 18 U.S.C. §§ 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i): Money Laundering

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 20 years imprisonment;
\$500,000 fine (or twice the gross gain/loss);
Three years supervised release;
\$100 special assessment.

Counts 14-15: 18 U.S.C. § 1956(a)(3)(C): Money Laundering (Funds Represented to be
Criminally Derived)

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 8-13)

Counts 16-17: 18 U.S.C. § 1957(a): Engaging in Monetary Transactions Using Criminally
Derived Property

Defendant Charged: Cuong Cao "Calvin" DANG

Maximum Penalties: 10 years imprisonment;
\$250,000 fine (or twice the amount of the criminally
derived property involved in the transaction);
Three years supervised release;
\$100 special assessment.

Counts 18-26: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendants Charged: Long PHAM
THUY NGUYEN

Maximum Penalties: 10 years imprisonment [enhanced penalty; otherwise 5 years];
\$500,000 fine (or twice the gross gain/loss) [enhanced; otherwise
\$250,000 or twice the gross gain/loss];
Three years supervised release;
\$100 special assessment.

Counts 27-32: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 18-26)

First Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of
Proceeds of Specified Unlawful Activity

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Second Forfeiture Allegation: 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Third Forfeiture Allegation: 31 U.S.C. § 5317(c) – Structuring Forfeiture

Defendants Charged: Edwin LIN
Long PHAM
THUY NGUYEN

Forfeitable Property: Substitute Assets (no property seized to date)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING

OFFENSE CHARGED

SEE ATTACHMENT

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: SEE ATTACHMENT

SEALED BY ORDER
OF THE COURT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

Edwin Lin

DISTRICT COURT NUMBER

CR-13-00486-EJD

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges _____
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District) _____

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges
 If answer to (6) is "Yes", show name of institution _____

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed _____

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

S/A Quyen Barg /IRS

☐ person is awaiting trial in another Federal or State Court, give name of court _____

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District _____

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO. _____

☐ this prosecution relates to a pending case involving this same defendant

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☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under _____

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

DAVID R. CALLAWAY

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments: _____

Δ8

ATTACHMENT TO PENALTY SHEET
U.S. v. Cuong Cao "Calvin" Dang, et al.
CR 13-00486 EJD

Count One: 18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
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HIEU NGUYEN
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Maximum Penalties: Up to twenty years imprisonment;
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Counts Two through Seven: 18 U.S.C. § 1341 - Mail Fraud

Defendants Charged: Cuong Cao "Calvin" DANG
Emily LE, and
David Huynh

Maximum Penalties: (same as Count One)

Counts 8-13: 18 U.S.C. §§ 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i): Money Laundering

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Three years supervised release;
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Counts 14-15: 18 U.S.C. § 1956(a)(3)(C): Money Laundering (Funds Represented to be
Criminally Derived)

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 8-13)

Counts 16-17: 18 U.S.C. § 1957(a): Engaging in Monetary Transactions Using Criminally
Derived Property

Defendant Charged: Cuong Cao "Calvin" DANG

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Counts 18-26: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendants Charged: Long PHAM
THUY NGUYEN

Maximum Penalties: 10 years imprisonment [enhanced penalty; otherwise 5 years];
\$500,000 fine (or twice the gross gain/loss) [enhanced; otherwise
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Three years supervised release;
\$100 special assessment.

Counts 27-32: 31 U.S.C. § 5324(a)(1) and (a)(3): Structuring Financial Transactions

Defendant Charged: Edwin LIN

Maximum Penalties: (same as Counts 18-26)

First Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of
Proceeds of Specified Unlawful Activity

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Second Forfeiture Allegation: 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture

Defendant Charged: Cuong Cao “Calvin” DANG

Forfeitable Property: (as listed in Superseding Indictment)

Third Forfeiture Allegation: 31 U.S.C. § 5317(c) – Structuring Forfeiture

Defendants Charged: Edwin LIN
Long PHAM
THUY NGUYEN

Forfeitable Property: Substitute Assets (no property seized to date)